

REMARKS

Claims 37-40, 42-45 and 48-51 have been allowed. Claims 3-5, 11-13, 15, 35, 41, 46, 47, 52 and 53 have been objected to. Claims 1, 6, 14, 16 and 17 have been rejected.

Claims 1, 5, 6, 15-17, 35, 41, 46, 47, 52 and 53 have been amended. Claims 1, 3-6, 11-17, 35 and 37-53 are pending.

Objections to the Claims

The examiner objected to Claims 1, 15, 16, 35, 41, 46, 47, 52 and 53 because of informalities in the claims. (See Office Action page 3, paragraph 1.)

The claims have been amended to overcome these objections. In particular, in Claims 1, 35, 41, 47, and 53, the phrase "in need thereof" was added after the word "mammal." In Claims 46 and 52, before "mammal" the word "a" was replaced with the word "the." In Claims 15 and 16, the phrase "and unacceptable" was deleted.

Rejection under 35 U.S.C. § 112, second paragraph

Claims 6, 16 and 17 have been rejected as being indefinite. (See Office Action page 4, paragraphs 2-8.)

The term "its derivatives" has been deleted from Claim 6. (See Office Action page 4, paragraph 3.) The phrases which contained the term "alkyl" have been deleted from claim 16. (See Office Action pages 4-5, paragraphs 4-7.) Accordingly, these rejections have been obviated.

The examiner rejected Claim 17 alleging that it is indefinite because:

[I]t recites the administration of compounds represented by a "General Formula (II)". However, there are four subgeneric compounds (J-M) listed. The same applies to the recitation of a "General Formula (IV)"...[T]here are two subgeneric structures (O-P) listed...[I]t is not clear why more than one compound is listed for a single general formula. (See Office Action page 5, paragraph 8.)

Structures J-M are stereoisomers. That is, these structures have identical chemical constitutions, but differ in the arrangement of their atoms in space. Structures O-P are also stereoisomers. Thus, applicants believe that it is proper to refer to Structures J-M as a general formula, and similarly, to refer to Structures O-P as a general formula.

Rejection under 35 U.S.C. § 102

Claims 1, 7, 8, 14 and 16 have been rejected under 35 U.S.C. §102 as being anticipated by HCAPLUS Online Abstract DN 76:30596 (1972) by Smirnov (hereinafter "Smirnov"). (See Office Action pages 2-3.)

Smirnov discloses the topical application of lidase and tetracycline, or collagenase and tetracycline, to treat burn-induced corneal cataracts in rabbits. As discussed below, Smirnov does not disclose or suggest all the limitations of the pending claims,

Claim 1 of the present application recites non-antimicrobial tetracyclines. Claims 3-6 and 11-17 depend from Claim 1. Non-antimicrobial tetracyclines are structurally related to antibiotic tetracyclines, but have their antibiotic activity substantially or completely eliminated by chemical modification. In particular, replacement of the substituents at positions 1-4 and 10-12 of an antibiotic tetracycline yield non-antimicrobial tetracyclines. See page 3, lines 1-15; and page 10, line 5, to page 11, line 20, of the specification.


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In contrast to Claims 1, 3-6 and 11-17, Smirnov does not disclose non-antimicrobial tetracycline compounds. Since Smirnov does not disclose or suggest all the claim limitations, Smirnov cannot anticipate the claims of the present application. Accordingly, withdrawal of these rejections is respectfully requested.

Applicants respectfully submit that the application is now in condition for allowance, which action is earnestly solicited. If resolution of any remaining issue is required prior to allowance of this application, it is respectfully requested that the examiner contact applicants' undersigned attorney at the telephone number provided below.

Respectfully submitted,



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